

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

JUDGMENT

SB CIVIL MISC. APPEAL NO.2238/2005
Mukesh Kumar
V/s
Shri Bhagat Ram & Ors.

Date of order : : 27.10.2006

HON'BLE MR. JUSTICE P.S. ASOPA

Mr.Sunil Jain, for the appellant.

This is an appeal on behalf of the injured appellant for enhancement of compensation against the award dated 4.5.2005 in MAC case No.103/2002 passed by the MACT, Beawar whereby for one simple and one grievous injury, in all Rs.28,000/- has been awarded.

The Claims Tribunal awarded Rs.1500/- for one simple injury, Rs.15,000/- for one grievous injury, Rs.2500/- for medicines, Rs.4400/- for 11 days admission in hospital, Rs.2600/- for physical pain and mental agony and Rs.2000/- for nutritious food.

The submission of counsel for the appellant is that although there is a mention of the fact in para 22 that there would be loss of income on account of injury, but no separate compensation for the same has

been awarded.

A perusal of para 23 would reveal that for one simple injury Rs.1500/- has been awarded whereas for one grievous injury Rs.15,000/- has been awarded. It appears that the said compensation for grievous injury also include the loss of income.

In my view, in all compensation of Rs.28,000/- for one simple and one grievous injury is sufficient. The compensation awarded by the Claims Tribunal is just, legal and proper. No interference is called for.

The appeal fails and is dismissed.

(P.S. ASOPA) J.

ummed/-